

Leroy D. Baca, Sheriff

County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169



March 25, 2010

Deputy Joshua Ramirez, #[redacted]

Dear Deputy Ramirez:

On February 4, 2010, you were served with a Letter of Intention, indicating your right to respond to the Sheriff's Department's pending disciplinary action against you, as reported under IAB File Number 2259728. You were also advised of your right to review the material on which the discipline was based.

You are hereby notified that pursuant to an Education-Based Discipline (EBD) Agreement between you and this Department dated February 17, 2010, you are suspended without pay from your position of Deputy Sheriff, Item No. 2708A, with this Department for a period of one (1) day. However, pursuant to the EBD agreement, the one (1) day will be held in abeyance for a period of twelve (12) months which will end on February 16, 2011. All Department records will reflect, nevertheless, that you received a one (1) day suspension. In accordance with the EBD Agreement, you have agreed to participate in an education-based alternative to discipline. Should you fail to complete any of the terms and conditions of the EBD Agreement, the one (1) day held in abeyance will be imposed.

An investigation under File Number IAB 2259728, conducted by Internal Affairs Bureau, coupled with your own statements, has established the following:

1. That in violation of Manual of Policy and Procedures Section 3-01/030.10, Obedience to Laws, Regulations and Orders (*specifically as it pertains to Men's Central Jail Unit Order 5-22-00, Inmate Discipline*), on or about February 9, 2009, while housing an inmate in the discipline module, you searched and/or escorted the inmate without having a supervising line deputy or sergeant present, in violation of the aforementioned policies.

Prior to imposing this disciplinary action, I have thoroughly reviewed the incident and your record with this Department.

You will hereby take notice that any future acts of misconduct may result in more severe disciplinary action.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

LEROY D. BACA, SHERIFF

Original Signed

Daniel S. Cruz, Captain
Commander, Men's Central Jail

Note: Attached for your convenience are excerpts of the applicable areas of the Manual of Policy and Procedures.

DSC:KM:bs

c: Advocacy Unit
Dennis H. Burns, Chief, Custody Operations Division
Internal Affairs Bureau
Personnel Administration
Office of Independent Review (OIR)
Men's Central Jail/unit Personnel File

EDUCATION-BASED DISCIPLINE AGREEMENT

This Agreement is entered into between the Los Angeles County Sheriff's Department, hereinafter referred to as "Department," and Deputy Joshua Ramirez, Employee No. [redacted] hereinafter referred to as "Grievant."

The Department and Grievant are parties to this dispute and desire to settle all issues involved in the Letter of Intent dated February 4, 2010, (IAB No. 2259728) upon the terms and conditions hereinafter set forth.

NOW, THEREFORE, the Department and Grievant for and in consideration of the mutual covenants contained herein, agree as follows:

1. All parties agree the one (1) day suspension shall stand. The Letter of Imposition shall contain the same charges as the Letter of Intent.

2. The Department will, upon execution of this Education-Based Discipline (EBD) Agreement, hold the one (1) suspension day in abeyance.

3. Both parties agree and understand that the Grievant's records will reflect that the one (1) day suspension was imposed and may be used for the purposes of demonstrating "progressive discipline." In addition, the Grievant understands that he will be subjected to additional discipline for each and every founded violation of the Department's Manual of Policy and Procedures.

4. The Grievant further agrees to attend and complete the below listed EBD courses and understands that failure to complete **all** the courses and assignments shall result in the imposition of the one (1) day held in abeyance:

- Lieutenant's Interactive Forum for Education (LIFE) class (8 hours)
- Write an EBD evaluation reflecting on your experience with the EBD process

5. The Department may adjust the Grievant's schedule to participate in EBD courses and EBD items, as EBD is conducted on-duty.

6. The Grievant agrees to cooperate with his Unit Commander to complete the courses as soon as practicable, but no longer than one (1) year from the date of execution of this EBD Agreement.

BB 3-10-10

7. The Grievant further agrees to waive any and all further administrative or judicial remedies with respect to the Letter of Imposition and the modified discipline, and also waives any administrative or judicial remedies with respect to any imposition pursuant to paragraph three (3), above. This waiver shall include, but not be limited to, appeals to the Los Angeles County Civil Service Commission and/or the Los Angeles County Employee Relations Commission.

8. The parties further agree that this EBD Agreement shall not be considered, cited, or used in future disputes as establishing past precedent or past employment practice.

9. In consideration of the terms and conditions set forth herein, Grievant agrees to fully release, acquit and forever discharge the County, and all present and former officers, employees and agents of the County, and their heirs, successors, assigns and legal representatives from any and all liability whatsoever for any and all claims arising out of or connected with the employment relationship between the County and Grievant concerning the subject matter referred to herein.

10. The Grievant further agrees to relinquish and expressly waives all rights conferred upon him by the provisions of California Civil Code Section 1542, which reads as follows:

> "A general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor."

11. The date of the last signature placed hereon shall hereinafter be known as the "date of execution" and the "effective date" of this EBD Agreement.

12. The parties agree that the foregoing comprises the entire EBD Agreement between the parties and that there have been no other promises made by any party. Any modification of this EBD Agreement must be in writing.

I have read the foregoing EBD Agreement, and I accept and agree to the provisions contained therein and hereby execute it voluntarily and with full understanding of its consequences.

Date: 02-17-10

Joshua Ramirez, Deputy

Date: 02-17-2010

Daniel Cruz, Captain



Leroy D. Baca, Sheriff

County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169



February 4, 2010

Deputy Joshua Ramirez, #[redacted]

Dear Deputy Ramirez:

You are hereby notified that it is the intention of the Sheriff's Department to suspend you without pay from your position of Deputy Sheriff, Item No. 2708A, with this Department for a period of one (1) day.

An investigation under IAB File Number 2259728, conducted by Internal Affairs Bureau, coupled with your own statements, has established the following:

1. That in violation of Manual of Policy and Procedures Section 3-01/030.10, Obedience to Laws, Regulations and Orders (*specifically as it pertains to Men's Central Jail Unit Order 5-22-00, Inmate Discipline*), on or about February 9, 2009, while housing an inmate in the discipline module, you searched and/or escorted the inmate without having a supervising line deputy or sergeant present, in violation of the aforementioned policies.

Prior to determining this disciplinary action, the Department's Executive Force Review Committee and I have thoroughly reviewed the incident and your record with this Department.

You have the right to grieve this disciplinary action within ten (10) business days of receipt of this letter. Your grievance procedures may be found in your classification's negotiated Memorandum of Understanding.

Failure to respond to this Letter of Intent within ten (10) business days will be considered a waiver of your right to grieve and will result in the imposition of this discipline indicated herein.

At the time of service of this letter of intent, you were provided with a copy of the material on which the discipline is based. If you are unable to access the information provided in the enclosed CD, you may contact Brenda Stewart, of Internal Affairs Bureau, at (323) 890-5315, and arrange an appointment for assistance in this regard.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

LEROY D. BACA, SHERIFF

Original Signed

Daniel S. Cruz, Captain
Commander, Men's Central Jail

DSC:KM:bs

c: Advocacy Unit
Employee Relations Unit
Dennis H. Burns, Chief, Custody Operations Division
Internal Affairs Bureau
Office of Independent Review (OIR)
(File # IAB 2259728)



Leroy D. Baca, Sheriff

County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169



March 16, 2010



Deputy [redacted] #[redacted]
[redacted]

Dear Deputy [redacted]

On February 8, 2010, you were served with a Letter of Intention, indicating your right to respond to the Sheriff's Department's pending disciplinary action against you, as reported under IAB File Number 2259728. You were also advised of your right to review the material on which the discipline was based.

You are hereby notified that pursuant to an Education-Based Discipline (EBD) Agreement between you and this Department dated February 19, 2010, you are suspended without pay from your position of Deputy Sheriff, Item No. 2708A, with this Department for a period of one (1) day. However, pursuant to the EBD agreement, the one (1) day will be held in abeyance for a period of twelve (12) months which will end on February 18, 2011. All Department records will reflect, nevertheless, that you received a one (1) day suspension. In accordance with the EBD Agreement, you have agreed to participate in an education-based alternative to discipline. Should you fail to complete any of the terms and conditions of the EBD Agreement, the one (1) day held in abeyance will be imposed.

An investigation under File Number IAB 2259728, conducted by Internal Affairs Bureau, coupled with your own statements, has established the following:

1. That in violation of Manual of Policy and Procedures Section 3-01/030.10, Obedience to Laws, Regulations and Orders (*specifically as it pertains to Men's Central Jail Unit Order 5-22-00, Inmate Discipline*), on or about February 9, 2009, while housing an inmate in the discipline module, you searched and/or escorted the inmate without having a supervising line deputy or sergeant present, in violation of the aforementioned policies.



Prior to imposing this disciplinary action, I have thoroughly reviewed the incident and your record with this Department.

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Original Signed

Daniel S. Cruz, Captain
Commander, Men's Central Jail

Note: Attached for your convenience are excerpts of the applicable areas of the Manual of Policy and Procedures.

DSC:KM:md

c: Advocacy Unit
Dennis H. Burns, Chief, Custody Operations Division
Internal Affairs Bureau
Personnel Administration
Office of Independent Review (OIR)
Men's Central Jail/unit Personnel File

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The Department and Grievant are parties to this dispute and desire to settle all issues involved in the Letter of Intent dated February 8, 2010, (IAB No. 2259728) upon the terms and conditions hereinafter set forth.

NOW, THEREFORE, the Department and Grievant for and in consideration of the mutual covenants contained herein, agree as follows:

1. All parties agree the one (1) day suspension shall stand. The Letter of Imposition shall contain the same charges as the Letter of Intent.

2. The Department will, upon execution of this Education-Based Discipline (EBD) Agreement, hold the one (1) suspension day in abeyance.

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- Write an EBD evaluation reflecting on your experience with the EBD process

5. The Department may adjust the Grievant's schedule to participate in EBD courses and EBD items, as EBD is conducted on-duty.

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I have read the foregoing EBD Agreement, and I accept and agree to the provisions contained therein and hereby execute it voluntarily and with full understanding of its consequences.

Date: 02/19/10

[redacted] Deputy

Date: 02-19-2010

Daniel Cruz, Captain



County of Los Angeles

Sheriff's Department Headquarters

4700 Ramona Boulevard
Monterey Park, California 91754-2169

Leroy D. Baca, Sheriff



February 8, 2010



Deputy [redacted] #[redacted]
[redacted]

Dear Deputy [redacted]

You are hereby notified that it is the intention of the Sheriff's Department to suspend you without pay from your position of Deputy Sheriff, Item No. 2708A, with this Department for a period of one (1) day.

An investigation under IAB File Number 2259728, conducted by Internal Affairs Bureau, coupled with your own statements, has established the following:

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Sincerely,

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Original Signed

Daniel S. Cruz, Captain
Commander, Men's Central Jail

DSC:KM:bs

c: Advocacy Unit
Employee Relations Unit
Dennis H. Burns, Chief, Custody Operations Division
Internal Affairs Bureau
Office of Independent Review (OIR)
(File # IAB 2259728)

761551N25A - SH-AD-32A (2/72)

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

A Tradition of Service

DATE: February 2, 2010

OFFICE CORRESPONDENCE

FILE NO. IV2259728
FO2243386

FROM: Eric B. Smith
ERIC B. SMITH, COMMANDER
LEADERSHIP & TRAINING DIVISION

TO: KARYN MANNIS, CAPTAIN
INTERNAL AFFAIRS BUREAU

SUBJECT: **EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS AND RECOMMENDATIONS USE OF FORCE**

The purpose of this memo is to notify you of the Review Committee's findings and recommendations concerning the use of force incident which occurred on February 9, 2009.

The Committee met on January 28, 2010, and consisted of me; Commander Daryl Evans, Technical Services Division; and Commander Stephen B. Johnson, Custody Operations Division.

The Committee deemed:

- as **Founded** the allegation that Deputy Joshua Ramirez #[redacted], violated the Department's Manual of Policy and Procedures, Section(s) 3-01/030.10 (Obedience to Laws, Regulations, and Orders) Re: Men's Central Jail Unit Order: 5-22-00, Revision Date: January 28, 2009, (Inmate Discipline), on or about February 9, 2009, while housing an inmate in the discipline module, you searched and/or escorted the inmate without having a supervising line deputy or sergeant present.

The Committee recommended that Deputy Joshua Ramirez #[redacted] receive a **Suspension with loss of pay and benefits for 1 day.**

EBS:YLW/ylw

761551N25A - SH-AD-32A (2/72)

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

A Tradition of Service

DATE: February 2, 2010

OFFICE CORRESPONDENCE

FILE NO. IV2259728
FO2243386

FROM: ERIC B. SMITH, COMMANDER
LEADERSHIP & TRAINING DIVISION

TO: KARYN MANNIS, CAPTAIN
INTERNAL AFFAIRS BUREAU

SUBJECT: **EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS AND RECOMMENDATIONS USE OF FORCE**

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The Committee met on January 28, 2010, and consisted of me; Commander Daryl Evans, Technical Services Division; and Commander Stephen B. Johnson, Custody Operations Division.

The Committee deemed:

- as **Founded** the allegation that Deputy [redacted] #[redacted] violated the Department's Manual of Policy and Procedures, Section(s) 3-01/030.10 (Obedience to Laws, Regulations, and Orders) Re: Men's Central Jail Unit Order: 5-22-00, Revision Date: January 28, 2009, (Inmate Discipline), on or about February 9, 2009, while housing an inmate in the discipline module, you searched and/or escorted the inmate without having a supervising line deputy or sergeant present.

The Committee recommended that Deputy [redacted] #[redacted] receive a **Suspension with loss of pay and benefits for 1 day.**

EBS:YLW/ylw

TABLE OF CONTENTS

Los Angeles County Sheriff's Department

Supervisor's Report on Use of Force

Incident Information

URN: 0 0 9 - 0 0 2 0 9 - 5 1 0 0 - 1 4 5 | Date: 2/9/09 | Time: 1710 hrs.

Location: 441 Bauchet Street | City or Station: Los Angeles, CA

Bureau/Station/Facility: Men's Central Jail | Admin. Investigation: YES ☐ NO ☒

Type of Force: Significant, Fracture

Deputy Injury : YES ☒ NO ☐ | Suspect Injury YES ☒ NO ☐

☐ Call | ☒ Observation | ☐ Detail | ☐ Foot Pursuit | ☐ Vehicle Pursuit

IAB Notified: YES ☒ NO ☐ | Person Notified: Lt. Scott Brickert | Emp: [redacted] | IAB Roll Out: YES ☒ NO ☐

Involved Employee

E 1

Employee # [redacted] | Last Name: Ramirez | First Name: Joshua | Middle Name: J.

Sex: ☒ Male ☐ Female | Race: H | Unit of Assignment: Men's Central Jail | Work Assignment (Unit #, Module, etc.): 4300/4400 Movement Officer

Shift: ☐ EM ☐ Day ☒ PM | ☒ Regular Shift ☐ OT Shift ☐ Off Duty | Age: [redacted] | Height: 5'06" | Weight: 165

☒ Injured ☒ Treated ☐ Admitted | Hospital: US Healthworks | Coroner Case #: N/A | Directed Force ☐ Significant Force ☒

E 2

Employee # [redacted] | Last Name [redacted] | First Name [redacted] | Middle Name [redacted]

Sex: [redacted] | Race: [redacted] | Unit of Assignment: [redacted] | Work Assignment (Unit #, Module, etc.): [redacted]

Shift: [redacted] | [redacted] | Age: [redacted] | Height: [redacted] | Weight: [redacted]

☐ Injured ☐ Treated ☐ Admitted | Hospital: | Coroner Case #: N/A | Directed Force ☐ Significant Force ☒

E 3

Employee # [redacted] | Last Name: Valencia | First Name: Salvador | Middle Name: Jr.

Sex: ☒ Male ☐ Female | Race: H | Unit of Assignment: Men's Central Jail | Work Assignment (Unit #, Module, etc.): 4700/4800 Movement Officer

Shift: ☐ EM ☐ Day ☒ PM | ☒ Regular Shift ☐ OT Shift ☐ Off Duty | Age: [redacted] | Height: 5'06" | Weight: 155

☐ Injured ☐ Treated ☐ Admitted | Hospital: | Coroner Case #: N/A | Directed Force ☐ Significant Force ☒

☒ **Additional Involved Employees**

On Duty Supervisor

Emp. #	Last Name	First Name	Middle Name	Rank	Present	Witness to Incident
[redacted]	Herrera	Gabriela	nmn	Sgt.	YES ☐ NO ☒	YES ☐ NO ☒
					YES ☐ NO ☐	YES ☐ NO ☐

Watch Sergeant

Emp. #	Last Name	First Name	Middle Name
[redacted]	Hinchman	Shawnee	N.

Watch Commander

Emp. #	Last Name	First Name	Middle Name
[redacted]	Shannon	Thomas	M.

Watch Commander (**Print Name**) | Watch Commander's **Signature**: | Emp #: | Date

Sgt. Scott Hill

Supervisor Completing Form: (**Print Name**) | Emp #: [redacted] | Copy Provided to Employee by: | Emp #:

Unit Commander (**Print Name**) | Unit Commander's **Signature**: | Emp #: | Date

DISCOVERY Use Only

FO#

Original: Discovery Unit
Copy: Unit Commander

SH-R-438P (Rev. 07/08)

Supervisor's Report on Use of Force
INVOLVED EMPLOYEE - Continuation
009-00209-5100-145

Involved Employee

E 4				
Employee # [redacted]	Last Name [redacted]	First Name [redacted]	Middle Name [redacted]	
Sex: ☒ Male ☐ Female	Race: H	Unit of Assignment: Men's Central Jail	Work Assignment (Unit #, Module, etc.): Module 4800 Control Booth Officer	
Shift: ☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	Age: [redacted]	Height: 5'11"	Weight: 205
☐ Injured ☐ Treated ☐ Admitted	Hospital:	Coroner Case #	Directed Force ☐ Significant Force ☒	

E_				
Employee #	Last Name	First Name	Middle Name	
Sex: ☐ Male ☐ Female	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	
Shift: ☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty	Age:	Height:	Weight:
☐ Injured ☐ Treated ☐ Admitted	Hospital:	Coroner Case #	Directed Force ☐ Significant Force ☐	

E_				
Employee #	Last Name	First Name	Middle Name	
Sex: ☐ Male ☐ Female	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	
Shift: ☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty	Age:	Height:	Weight:
☐ Injured ☐ Treated ☐ Admitted	Hospital:	Coroner Case #	Directed Force ☐ Significant Force ☐	

E_				
Employee #	Last Name	First Name	Middle Name	
Sex: ☐ Male ☐ Female	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	
Shift: ☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty	Age:	Height:	Weight:
☐ Injured ☐ Treated ☐ Admitted	Hospital:	Coroner Case #	Directed Force ☐ Significant Force ☐	

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Employee #	Last Name	First Name	Middle Name	
Sex: ☐ Male ☐ Female	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	
Shift: ☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty	Age:	Height:	Weight:
☐ Injured ☐ Treated ☐ Admitted	Hospital:	Coroner Case #	Directed Force ☐ Significant Force ☐	

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
Rodriguez	S1	Ramirez	E1	PH	NN	CH
Ramirez	E1	Rodriguez	S1	TD	AB	HE
Rodriguez	S1	Ramirez	E1	PH	ST	KN
Rodriguez	S1	Ramirez	E1	PH	NN	CH
[redacted]	E2	Rodriguez	S1	PP	NN	CH
Ramirez	E1	Rodriguez	S1	PO	AB	CH
Rodriguez	S1	Ramirez	E1	PK	CH	NN
Ramirez	E1	Rodriguez	S1	FL	AB	CH
Rodriguez	S1	[redacted]	E2	PH	NN	HD
[redacted]	E2	Rodriguez	S1	PH	AB	FA
Valencia	E3	Rodriguez	S1	FL	AB	EL
[redacted]	E2	Rodriguez	S1	PO	AB	BK
Valencia	E3	Rodriguez	S1	FL	AB	BK
[redacted]	E4	Rodriguez	S1	FL	FR	LE
Ramirez	E1	Rodriguez	S1	HB	NN	FE

Supervisor's Report on Use of Force
SUSPECT INFORMATION
009 - 00209 - 5100 - 145

Suspect Information

S 1

Last Name	Rodriguez	First Name	Anthony	Middle Name	Carlos
AKA Last Name	Moniker "Kid"	First Name		Middle Name	

Sex: [X] Male [ ] Female | Race: H | Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]

Work Phone: [redacted] | Home Phone: [redacted] | Age: 21 | Height: 5'06" | D.O.B. 06-09-87 | Weight: 135 | Armed? [ ]

Booking #: 1764571 | Primary Charge Code: 3056PC | Secondary Charge Code: none | Criminal History [redacted]

EMT in attendance? [ ] YES [X] NO Name: ______ Unit: ______ Phone #: ______

Hospital Admission? [X] Rec'd Treatment At: LCMC | Coroner Case #: ______ | Mental History [ ]

By Doctor: Badri | Address: 1200 North State Street, Los Angeles, CA | Phone #: (323) 226-6737

Under Influence: [ ] YES [X] NO Substance: ______ | Mental Illness [ ]

Suspect Interview

Date: | Time: | [ ] Audiotape: | [ ] Videotape: | [ ] Photos of Injuries: | [ ] ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name | First Name | Middle Name

AKA Last Name | First Name | Middle Name

Sex: [ ] Male [ ] Female | Race: | Street Address: | City: | State & Zip Code:

Work Phone: | Home Phone: | Age: | Height: | D.O.B. | Weight: | Armed? [ ]

Booking #: | Primary Charge Code: | Secondary Charge Code: | Criminal History [ ]

EMT in attendance? [ ] YES [ ] NO Name: ______ Unit: ______ Phone #: ______

Hospital Admission? [ ] Rec'd Treatment At: ______ Coroner Case #: ______ Mental History [ ]

By Doctor: ______ Address: ______ Phone #: ______

Under Influence: [ ] YES [ ] NO Substance: ______ | Mental Illness: [ ]

Suspect Interview

Date: | Time: | [ ] Audiotape: | [ ] Videotape: | [ ] Photos of Injuries: | [ ] ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name | First Name | Middle Name

AKA Last Name | First Name | Middle Name

Sex: [ ] Male [ ] Female | Race: | Street Address: | City: | State & Zip Code:

Work Phone: | Home Phone: | Age: | Height: | D.O.B. | Weight: | Armed? [ ]

Booking #: | Primary Charge Code: | Secondary Charge Code: | Criminal History [ ]

EMT in attendance? [ ] YES [ ] NO Name: ______ Unit: ______ Phone #: ______

Hospital Admission? [ ] Rec'd Treatment At: ______ Coroner Case #: ______ Mental History [ ]

By Doctor: ______ Address: ______ Phone #: ______

Under Influence: [ ] YES [ ] NO Substance: ______ | Mental Illness [ ]

Suspect Interview

Date: | Time: | [ ] Audiotape: | [ ] Videotape: | [ ] Photos of Injuries: | [ ] ADMITS HEARING ANNOUNCEMENTS

[ ] Additional Suspects Involved

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION
0 0 9 - 0 0 2 0 9 - 5 1 0 0 - 1 4 5

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Alerich	Christopher	G.

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.	Street Address	City	Zip Code	Work Ph.	Home Ph.

☐ Additional Witness

INVESTIGATIVE NARRATIVE

SUSPECT: **RODRIGUEZ,** Anthony C., Bkg. #1764571, MH/21, 5'06" / 135 lbs.

INVOLVED PERSONNEL: **RAMIREZ**, Joshua J., Emp. #[redacted] 5'06" / 165 lbs.

[redacted] Emp. #[redacted]

VALENCIA, Salvador Jr., Emp. #[redacted] 5'06" / 155 lbs.

[redacted] Emp. #[redacted] 5'11" / 205 lbs.

SWORN WITNESS: **ALERICH,** Christopher G., Emp. #[redacted]

INMATE WITNESSES: None.

DATE AND TIME: February, 9, 2009, Monday, 1710 hours.

LOCATION: Men's Central Jail, Module 4400

Internal Affairs Bureau Sergeants Scott Hill and Owen Tong, responded to LCMC regarding an inmate who suffered a fractured wrist. The fracture was the result of an altercation with several deputies assigned to Men's Central Jail, refer to Exhibit "A" SH-R-49. This incident was initially assigned to Sergeant Tong, but was later reassigned to Sergeant Hill.

SYNOPSIS:

On February 9, 2009, Deputy Joshua Ramirez and Deputy [redacted] were directed to move Inmate Anthony Rodriguez from his pre-disciplinary cell in Module 4400, Cell #C-4, and escort him to the disciplinary cell in D-Row for a previous violation of jailhouse rules involving another deputy (refer to Exhibit "E"). As Deputy Ramirez searched Inmate Rodriguez' person for contraband outside the Denver Row walkway, he (Rodriguez) turned and attacked Deputy Ramirez, knocking him to the ground and jumping on top of him.

> **IAB Note:** After an inmate receives his or her disciplinary review board and has been found to have violated jailhouse rules, he or she is ordered into the disciplinary section of the jail. A list of inmates is generated and it is the responsibility of the movement deputies to facilitate the transfer of the inmate.

Deputy [redacted], who was kneeling beside Deputy Ramirez searching Inmate Rodriguez' personal property, pushed Inmate Rodriguez off of Deputy Ramirez and simultaneously called for assistance on his radio. Inmate Rodriguez began punching and kicking both Deputies. Deputy [redacted] attempted to stop Inmate Rodriguez's attacks by kneeing him and striking him in the upper torso with his flashlight.

Deputies [redacted] and Salvador Valencia responded to the assistance call and upon arrival used their flashlights to strike inmate Rodriguez several times on his legs, elbow and back in an effort to subdue him. Deputy Valencia was able to force Inmate Rodriguez' arms behind his back and handcuff him.

On February 10, 2009, Inmate Rodriguez was transported to LCMC for treatment of injuries sustained as a result of the fight. After it was determined Inmate Rodriguez had suffered a broken right wrist, IAB was notified and IAB investigators responded to LCMC to interview Inmate Rodriguez.

INJURIES:

Inmate Rodriguez sustained a laceration with associated swelling on his left ankle, abrasions to both elbows, abrasions and contusions to his face, contusions on his right leg and a fractured wrist. Inmate Rodriguez was transported to LCMC for medical treatment. The specific cause of Inmate Rodriguez' fractured wrist is not known.

Deputy Ramirez sustained a soft tissue injury with associated swelling, redness, and pain to his right knee. Deputy Ramirez was transported to U.S. Healthworks for medical treatment.

INTERVIEWS:

Anthony Carlos Rodriguez, Booking #1764 571
Involved Inmate

On February 9, 2009, at 1827 hours, Inmate Rodriguez was interviewed inside the MCJ clinic by MCJ Sergeant Gabriela Herrera and by the MCJ Watch Commander Lieutenant Tom Shannon. The interview was video recorded. For further details regarding this interview, refer to the verbatim transcription obtained from the video tape.

Inmate Rodriguez said;

> I came out of my cell, [they] said, 'Face to the wall, put your property behind you.' I did so, I faced the wall and the deputy said where am I from. I told him where I was from and from there he kicked me in my leg and started beating me up . . .
> I was facing the wall and I just got kicked from my right, my right leg and my knee and I fell on the floor and I balled up.

As he was being beaten, Inmate Rodriguez stated he asked the deputies to "please stop."

On February 10, 2009, at 1640 hours, Inmate Anthony Rodriguez was interviewed by IAB Sergeants Owen Tong and Scott Hill at LCMC. The interview was digitally audio recorded. For further details regarding Inmate Rodriguez' interview, refer to the verbatim transcription of his interview included with this investigation.

> **IAB Note:** Inmate Rodriguez' fracture was not immediately discovered by the LCMC staff. This delay resulted in IAB investigators responding on February 10th instead of February 9th.

Inmate Rodriguez said two unidentified deputies (later identified as Deputy Joshua Ramirez and Deputy [redacted] took him out of his pre-discipline cell for transfer to the discipline cell when one of the deputies asked him where he was from. When he told them he was with the Avenues gang, the deputy told him to, "Fucking turn around." While Inmate Rodriguez was facing the wall, with the two deputies standing behind him, Inmate Rodriguez said one of them suddenly kicked him on the outside of the right leg, below the knee area, causing him to fall to the ground on his left side. Inmate Rodriguez did not try to break his fall with his hands and landed on his left shoulder.

While Inmate Rodriguez was on the ground, one of the deputies tried to restrain him by pinning and holding his head on the ground. The other deputy struck him repeatedly on the inside lower left shin area with something hard, possibly punches. Whenever Inmate Rodriguez moved his left leg because it was hurting, the deputy told him to stop resisting and kept hitting his left leg because he kept moving it.

Inmate Rodriguez said he "blacked out" when he got struck in the back of the head. When he was asked if he was struck anywhere else, he replied he was struck in the face, but he didn't know when he was struck there because he never felt the blows, since the pain was on his left leg. IAB Investigators did not note any sign of injury to the back of Inmate Rodriguez' head, refer to Exhibit "D" digital photographs of Inmate Rodriguez.

Inmate Rodriguez had no recollection of how he sustained injuries or marks to his face and arm. When he regained consciousness he recalled being handcuffed. Three deputies were carrying him by the arms and legs out of the module. Inmate Rodriguez was placed on a Gurney and was taken to the MCJ infirmary.

When Inmate Rodriguez was asked if he may have broken his right hand by "clocking" someone he answered, "No," and asked, "Yeah, but how? I wouldn't be able to break my hand like that by hitting somebody. I would break my knuckles here." Inmate Rodriguez said he did not say anything nor do anything to provoke the attack. He did not fight back and denied punching and or kicking at the deputies.
When he fell, he fell on his left side and the left side of his face struck the ground, but not his right arm. He could not recall if he landed on his left cheek or on the left orbital area because everything happened so fast.

When Inmate Rodriguez was asked if he knew why the deputies kicked him, Inmate Rodriguez explained perhaps it was because a few days prior, he "got into it" with another deputy." When that deputy threw him against the gate, he told the deputy, "Fuck, you're throwing me against the gate." Inmate Rodriguez said that previous incident was the reason he was in the pre-discipline cell waiting to go to the discipline cell. Inmate Rodriguez said he did not incur any injuries to his face and hand in the previous incident. He stated all the injuries were suffered during altercation that is the subject of this review.

IAB NOTE: IAB Sergeant Owen Tong took eleven digital photos (Exhibit "D") of Inmate Anthony Rodriguez. The following marks / injures / complaints were noted;

1. Cast on his right arm for a fractured bone in his right wrist.
2. Complained of swelling and pain to the right knee.
3. Complained of swelling and pain to the lower left leg.
4. A ½" to 1" laceration on inside of the left shin above the ankle.
5. Swelling and bruising around the left orbital area.
6. Reddish discoloration to the right side of the head near the top of the head.

Dr. Badri
Emergency Room Physician
Los Angeles County-USC Medical Center Jail Ward

On February 10, 2009, at 1700 hours, Dr. Badri reluctantly spoke with IAB Sergeants Hill and Tong. The interview was not digitally recorded at his request.

Dr. Badri did not want to comment regarding Inmate Rodriguez's legs, nor the bruises on his face and head.

IAB investigators showed Dr. Badri a signed LCMC form which authorized the release of Inmate Rodriguez' medical information to members of the Los Angeles County Sheriff's Department (Refer to Miscellaneous Documents). Dr. Badri dismissed the signed release and said he was not at liberty to discuss the case. When pressed for general information, Dr. Badri did state Inmate Rodriguez had sustained a fractured scaphoid bone of his right wrist. Although, he could not say how the fracture occurred, he knew that such a fracture was common when people fall on the ground and land on the open palm of their hand. When Dr. Badri was asked if the fracture could have occurred from punching someone or something, Dr. Badri said a forensic doctor would be the one to draw that type of conclusion. Dr. Badri quickly left the hospital after his brief interview.

IAB NOTE: Arthroscopy.com describes the scaphoid bone;

The scaphoid bone (also called the navicular bone) is one of eight carpal (wrist) bones. These small bones allow complex, yet delicate movements of the hand. The carpal bones fit between the forearm and hand bones. The scaphoid sits below the thumb.

In adolescents and young adults, fracture of this bone is the most common fracture around the wrist. Men are ten times more likely to fracture this bone than women. Although the bone is small, it takes a lot to break it. Oddly enough, twice as much force is required to break the scaphoid bone as to break one of the bigger forearm bones. Because of this, most patients who have broken their scaphoid have done it while participating in sports, such as football, basketball, riding a motorcycle or in an automobile accident. Usually the patient falls on the outstretched hand and hyper extends the wrist joint. Refer to a diagram of the scaphoid bone included in "Miscellaneous Documents."

Involved Employees (Sworn)

Deputy Joshua Ramirez, Emp. #[redacted]
Men's Central Jail - 4300/4400 Movement Officer

On December 28, 2009, at 1450 hours, Deputy Ramirez was interviewed by IAB Sergeants Scott Hill and Jimmy Rios. Deputy Ramirez was represented by Ms. Deborah Schild from the law firm of Green and Shinee. The interview was digitally audio recorded. For further details regarding Deputy Ramirez' interview, refer to the verbatim transcription of his interview included with this investigation.

On February 9, 2009, Deputy Ramirez had been employed by the Los Angeles County Sheriff's Department for one year. [redacted]

Deputy Ramirez stated he was working as the movement officer in the Discipline / Pre-Discipline modules, 4300/4400 at Men's Central Jail with Deputy [redacted] Sometime earlier, Inmate Rodriguez was found to have violated jail rules by the Discipline Review Board. He was scheduled to be moved from Pre-Discipline to the Discipline side of the module, "The Hole" as a result of his infraction(s), refer to Exhibit "E." After Inmate Rodriguez was called from his cell, via the PA system he walked from his cell toward Deputy Ramirez. Deputy Ramirez instructed Inmate Rodriguez to walk to an open area just inside the module. Deputy Ramirez instructed Inmate Rodriguez to place his property on the floor, turn and face the wall. Deputy [redacted] kneeled down and began to inventory / search Inmate Rodriguez' personnel property. Deputy Ramirez approached Inmate Rodriguez to search him. Inmate Rodriguez immediately spun around clockwise and attempted to strike Deputy Ramirez with his right elbow. Deputy Ramirez described Inmate Rodriguez' behavior as "real compliant" prior to the attack.

IAB Note: Inmates housed in Pre-Discipline are allowed to keep their personal property, e.g., candy, store items, etc. After an inmate has his or her Discipline Review Board (DRB) hearing, and it is decided he or she will be housed in the discipline section of the module, the inmate's personnel property is taken, inventoried, and stored. The inmate's personnel property is returned after they are released from the discipline module.

Inmate Rodriguez caught Deputy Ramirez by surprise. Deputy Ramirez said, "He just basically like kind of rushed me and I was like 'oh man,' because I couldn't, I wanted to reach for my tools but there was no time.

Deputy Ramirez identified his "tools" as his pepper spray and his flashlight. Both Deputy Ramirez and Inmate Rodriguez fell to the ground. Deputy Ramirez landed on his back with Inmate Rodriguez on top, facing him.

While facing Deputy Ramirez, Inmate Rodriguez began punching Deputy Ramirez' chest with his fists. Deputy [redacted] seeing his partner on the ground with Inmate Rodriguez on top of him, pushed Inmate Rodriguez off Deputy Ramirez. Inmate Rodriguez landed on Deputy Ramirez's left side. Inmate Rodriguez maneuvered himself to Deputy Ramirez' right side (Deputy Ramirez was unsure how Inmate Rodriguez managed this maneuver).

> He ended up on my right side and I was on the left side and [redacted] was on the right side of him. I don't know how that happened, but that's how we ended up and then I remember trying to get up and as I'm trying to turn my body, he still like moving his back, like, kind of like a turret in a tank, he's just kicking at me. So then [redacted] trying to you know, get control of his arms and I can't really see what's going on with him, but then you know, I remember I kneed him a couple times in the rib cage . . . when he was kicking me, I just kind of pushed over his legs and then I kneed him (using his right knee) in the ribs (Rodriguez' left ribs).

Deputy Ramirez refrained from striking Inmate Rodriguez with his fists, because "I didn't want to break a hand." Now kneeling beside Inmate Rodriguez, Deputy Ramirez withdrew his Streamlight flashlight from the ring on his belt. Deputy Ramirez struck Inmate Rodriguez three times on his left rib area however some of the blows glanced off Inmate Rodriguez' body and struck the floor. "I remember the sound of the [flashlight hitting] cement."

During the fight, Deputy Ramirez recalled hearing radio traffic relating to the fight. Deputy Ramirez didn't use his radio, but thought Deputy [redacted] had used his to summon help.

Deputy Ramirez grasped one of Inmate Rodriguez' arms and held it while assisting Deputies managed to handcuff Inmate Rodriguez. Although he was handcuffed, Inmate Rodriguez was still kicking. Deputy Ramirez recalled an order being given to "hobble" Inmate Rodriguez' feet. After the hobble was applied, Inmate Rodriguez ceased resisting. Deputy Ramirez estimated the length of the fight to be "no more than three minutes."

Prior to his interview, Deputy Ramirez viewed Inmate Rodriguez's interview with Lieutenant Shannon and Sergeant Herrera. Deputy Ramirez was asked if any of Inmate Rodriguez' statements regarding how the fight started were accurate. Deputy Ramirez stated nothing Inmate Rodriguez said during his interview was accurate.

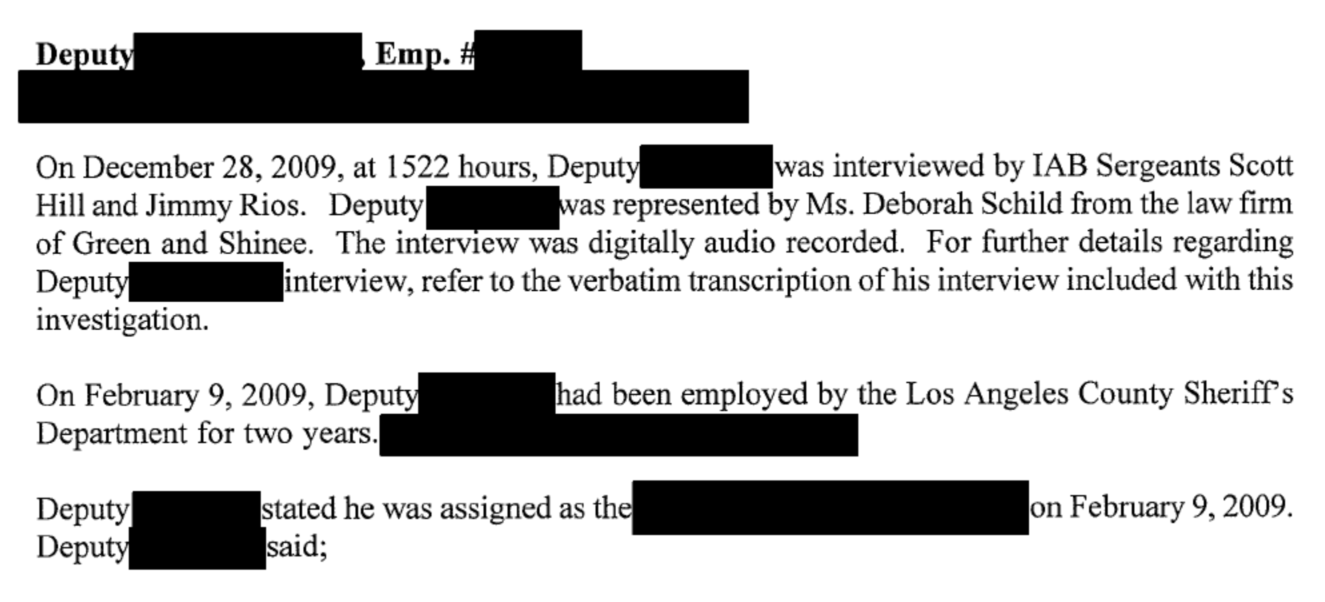
Throughout the fight, Deputy Ramirez stated he issued verbal commands to Inmate Rodriguez to stop fighting. Inmate Rodriguez ignored Deputy Ramirez' commands.

Deputy Ramirez stated he had no previous contact with Inmate Rodriguez.

Deputy Ramirez postulated several reasons for Inmate Rodriguez' behavior in his incident report (Exhibit "A").

- Enhances the individual's status and reputation within the gang. Gives him a reputation as a hardcore gang member, or gang member that is not afraid to "put in work" (commit crimes) to further the reputation of the gang.
- Enhances the gang's reputation with other gang members within the jail.
- Enhances the gang's reputation within the surrounding community, which promotes an atmosphere of fear and intimidation. With this violent reputation, the gang can now feel free to commit criminal acts in an open forum for all to see with little to no fear of prosecution.

Deputy Ramirez suffered a sprained right knee as a result of the fight. He was transported to U.S. Healthworks for medical treatment.



Deputy [redacted], Emp. # [redacted]

On December 28, 2009, at 1522 hours, Deputy [redacted] was interviewed by IAB Sergeants Scott Hill and Jimmy Rios. Deputy [redacted] was represented by Ms. Deborah Schild from the law firm of Green and Shinee. The interview was digitally audio recorded. For further details regarding Deputy [redacted] interview, refer to the verbatim transcription of his interview included with this investigation.

On February 9, 2009, Deputy [redacted] had been employed by the Los Angeles County Sheriff's Department for two years. [redacted]

Deputy [redacted] stated he was assigned as the [redacted] on February 9, 2009. Deputy [redacted] said;

> That day we were conducting movement [for] inmates that already had been to disciplinary review board. So he (Inmate Rodriguez) had to be transferred from, or moved, from Charlie row onto Denver row. I remember the module officer told him via the PA, to step out of his cell. He already had his mattress rolled up with all of his property inside.
> So when I first saw him, he was already walking toward the front gate, Charlie gate, and he was carrying his mattress on his right side with both of his hands.
>
> I opened [the gate] so he could walk straight out with his property. I instructed him to go ahead, face the wall, place all of his property behind him and normally we tell them to put their hands in their pockets or put their hands behind his back. I don't recall exactly what I told him, but it was something along those lines.
>
> He was cooperative. He just walked to the wall. He didn't say anything to me. They normally don't. [He] faced the wall, put his property behind him. From there, I do remember that Deputy Ramirez was there at that time.

IAB Note: As Inmate Rodriguez was walking down Charlie row, Deputy [redacted] stated he wasn't sure where Deputy Ramirez was.

I pulled the mattress toward me, which, I was to their (Deputy Ramirez and Inmate Rodriguez') right, because they were both kind of facing toward the wall. I was squatting down, kind of like, I rolled his mattress, which had all of his property inside. I was going through his property, seeing what he could keep and what he can't. I was sorting it out. When I was doing that, that's when I noticed that inmate Rodriguez you know, [was] on top of Deputy Ramirez. [He] landed on top of him. As soon as I looked up, I just remember seeing the inmate on top of Deputy Ramirez. So then I immediately looked up at him and then pushed him (Inmate Rodriguez) off. I pushed him off from [his] left side.

Deputy [redacted] stated while Inmate Rodriguez was on the floor, he was kicking and swinging his fists at both deputies, "I remember him swinging and kicking his feet violently."

Deputy [redacted] stated he was carrying a radio, OC spray and his flashlight. He stated the incident unfolded so rapidly he choose to push Inmate Rodriguez off Deputy Ramirez instead of deploying his OC spray. Deputy [redacted] stated he is very sensitive to OC. He stated the area was confined and he was afraid of spraying Deputy Ramirez.

I didn't want him to get back up and start attacking us again. So I immediately kind of like went toward him. I was trying to control his hands. I believe at that point, I don't know how he got, if that's when he (Deputy Ramirez) went around to his other side.

Deputy [redacted] stated he tried to control Inmate Rodriguez' hands. He [redacted] recalled using his hands / arms to block several attempted blows by Inmate Rodriguez. The attempted blows were directed at Deputy [redacted] face. Deputy [redacted] said, "So then from there, I punched him back. I hit him in the face. I believe it was, approximately like three or four times. It kinda helped me out, because, instead of him swinging at me, he was kinda more, trying to block my punches. I kinda put my weight down and with, with my hands, I kind of tried to like pull his hands down so he stopped swinging."

At this point Deputy [redacted] was able to summon help via his hand-held radio. "I was able to put out, 415, deputies involved in -- I don't know if went out all the way. My partners told me that they didn't hear the whole thing, but they were able to tell that I, we needed help, we were in a fight and we were somewhere [on the] 4000 floor."

While Deputy [redacted] was using the microphone, he was only able to restrain one of Inmate Rodriguez' hands. During this time, Inmate Rodriguez resumed his attack, "he continued to swing and fight." Deputy [redacted] heard the "one gate" open. "I saw a deputy, to my right, come to help me out and he was swinging his fist. It was Deputy Valencia. I did see him strike inmate Rodriguez, on his arms / elbows [with his flashlight]. I don't know how many times."

I just kept trying to control his hands. With the help of Deputy Valencia, I wasn't in fear that he was gonna strike me as hard. So now I tried to roll him to his stomach, because I know that if he's on his stomach, he's still going to probably swing and kick, but at least he's not going to hit us directly. So I grabbed a hold of his left arm and I pulled it toward me to try to turn him on his stomach. When I was doing that, he was trying to push up. He was still trying to swing with his arm. He was trying to push up and get up. So as I'm pushing him down, I remember hitting him with my right knee (four or five times) on his upper back.

Despite Deputy [redacted] efforts, Inmate Rodriguez continued to fight, "I could tell he was still actively in the fight."

I don't know who else came to help us out, but me and Deputy Valencia, we managed to get a hold of his hands. I don't remember exactly who handcuffed [him]. I know it wasn't me, but I remember I held his hands together [and] he was handcuffed. I know somebody hobbled his feet and then I think that was the end of the incident. He was escorted out to the hallway and then he was escorted to the clinic.

Asked if he ordered Inmate Rodriguez to stop fighting, Deputy [redacted] said, "Oh yes, so like, for me, it's the training. The way we train in the academy. They always train us to say, 'stop fighting.' Every time we do defensive tactics we always say, 'stop fighting, stop resisting' you know, 'give me your hands.'"

Prior to Deputy [redacted] interview he viewed Inmate Rodriguez' interview with Sergeant Herrera and Lieutenant Shannon. Deputy [redacted] stated nobody asked Inmate Rodriguez where he was from. Deputy [redacted] never saw Inmate Rodriguez fall to the floor and curl up into a ball. Deputy [redacted] stated from the time Inmate Rodriguez came off the wall, "he was actively fighting."

Deputy [redacted] did not suffer any injuries.

Deputy Salvador Valencia, Emp. #[redacted]
Men's Central Jail - 4700/4800 Movement Officer

On December 28, 2009, at 1548 hours, Deputy Valencia was interviewed by IAB Sergeants Scott Hill and Jimmy Rios. Deputy Valencia was represented by Ms. Deborah Schild from the law firm of Green and Shinee. The interview was digitally audio recorded. For further details regarding Deputy Valencia's interview, refer to the verbatim transcription of his interview included with this investigation.

On February 9, 2009, Deputy Valencia had been employed by the Los Angeles County Sheriff's Department for two and one half years. [redacted]

On February 9, 2009, Deputy Valencia stated he was the 4700/4800 movement Deputy. He and Deputy [redacted] were in the "4000 booth" and they heard radio traffic on Deputy Valencia's hand-held radio.

> Radio traffic came out and it sounded like it was being rushed. It was, it came out as deputy involved in a fight. Initially I couldn't, we couldn't hear where the fight was taking place, but something to the effect as a 'four'. Being that we worked on 4000 floor, we decided to check the floor, all the modules.

Asked how they searched for the fight, Deputy Valencia said;

> Well we had our plan. When we exited the booth, we said we're going to start from 43, which is the lowest, the first module, and we're going to run all the way up to 48. In order to get to 43, we have to pass 44, and as we're passing 4400, we heard loud screams, 'Stop fighting' coming from inside [44]. So we figured, 'Hey, let's open this door, see what's going on there.'

Within fifteen to twenty seconds the deputies had located the fight. Since the door was locked, Deputy Valencia used his key to unlock it. When he opened the door he said, "I saw deputies fighting with an inmate." Inmate Rodriguez was on his back. "He was punching and kicking [at the deputies]. Hearing that they were already giving him orders to stop fighting, I also came in and ordered him to stop fighting. He did not [stop fighting]." Deputy Valencia stated he decided not to deploy his OC because of the confined area.

Since Inmate Rodriguez was using his arms to assault Deputies Ramirez and [redacted] Deputy Valencia decided to strike Inmate Rodriguez on his elbows, hoping this would disable Inmate Rodriguez' arms. "I took my flashlight and I struck him in the right elbow twice." Deputy Valencia also struck Inmate Rodriguez's left elbow. Deputy Valencia stated all of the flashlight blows were ineffective.

The deputies managed to "flip" Inmate Rodriguez onto his stomach. Deputy Valencia stated he wasn't exactly sure how they managed to accomplish this, but Inmate Rodriguez ended up on his stomach. Despite laying on his stomach, Inmate Rodriguez continued "thrashing his arms, throwing elbows." Inmate Rodriguez tried to get up. Deputy Valencia struck him on his upper back with his flashlight. Again, Deputy Valencia stated the flashlight blow seemed to be ineffective.

Inmate Rodriguez was subsequently handcuffed by Deputy Valencia (according to the supplemental report written by Deputy Valencia). Deputy Valencia stated Deputy [redacted] was attempting to control Inmate Rodriguez' legs but by the look (of concern) on Deputy [redacted] face Deputy Valencia decided it was best to hobble Inmate Rodriguez' ankles. Deputy Valencia carries a hobble on his left boot. He applied it to Inmate Rodriguez' feet. Deputy Valencia estimated the length of the fight to be two minutes.

Deputy [redacted] Emp. # [redacted]
Men's Central Jail - Module 4800 Control Booth Officer

On December 28, 2009, at 1605 hours, Deputy [redacted] was interviewed by IAB Sergeants Scott Hill and Jimmy Rios. Deputy [redacted] was represented by Ms. Deborah Schild from the law firm of Green and Shinee. The interview was digitally audio recorded. For further details regarding Deputy [redacted] interview, refer to the verbatim transcription of his interview included with this investigation.

On February 9, 2009, Deputy [redacted] had been employed by the Los Angeles County Sheriff's Department for nine years. [redacted] Upon graduation from the Sheriff's Academy he was assigned to MCJ. He has remained there since his graduation from the Academy.

Deputy [redacted] stated substantially the same as Deputy Valencia regarding the discovery of the fight.

When the module door was opened, Deputy [redacted] said, "I saw the back of Deputy [redacted] and also Deputy Ramirez surrounding an inmate who was on the floor. They were actually fighting with him. He was laying on his back, kicking and punching. Deputy [redacted] stated Deputy [redacted] was crouched down and was closest to Deputy [redacted] Deputy Ramirez was also crouched down. He was on the other side of Inmate Rodriguez furthest from Deputy [redacted]

Upon entering the module, Deputy [redacted] said;

> Well, I had my flashlight out with me already, at that point. I saw that he was kicking and no one had control of his legs. I yelled out, 'Stop fighting.' But he didn't, he didn't comply. He continued to kick. So I immediately struck at his shins and calves area of his legs (using the flashlight).

Deputy [redacted] recalled striking Inmate Rodriguez' legs two to three times. The blows didn't seem to have any effect.

> So at that point, I hit him again on the thighs, legs, pretty much the entire leg area, both of them, about four to six more times, approximately, just to get him to stop. At some time during the incident I know that they were able to get him onto his stomach. He still was doing a little bit of the mule kicking. I was able to basically grab his legs and push him down and hold him, drop my knee onto him, cross his ankles, and pretty much force him to get control of his movements. He was still moving, he was still trying to pull his legs away, still trying to do the kicking motion, but I had decent control, not something I can stay there and hold all day long, however.
>
> At some point, Deputy Valencia was next to me. He had a hobble restraint out and we didn't really, I didn't communicate with him to say, you know, 'Hey, let's tie him.', But basically I allowed myself to move while holding his legs and the hobble was placed on his legs and they were secured.

Deputy [redacted] stated Inmate Rodriguez was handcuffed prior to the hobble being applied.

Deputy [redacted] stated he had OC with him. Regarding its deployment he said, "Well, with OC, it will affect me very badly and in fact, in that area, it's a very enclosed area, I would have been taken out of the equation if somebody had used it."

Deputy [redacted] stated he did not suffer any injuries.

Witness (Sworn)

Deputy Christopher G. Alerich, Emp. #[redacted]
Men's Central Jail - 4400 Module Officer

On January 12, 2010 at 2009 hours, Deputy Alerich was interviewed by IAB Sergeant Scott Hill. The interview was digitally audio recorded. For further details regarding Deputy Alerich's interview, refer to the verbatim transcription of his interview included with this investigation.

On February 9, 2009, Deputy Alerich had been employed by the Los Angeles County Sheriff's Department for six months. [redacted]

Deputy Alerich was assigned as the 4400 Module Officer. As such, Deputy Alerich could not leave the 4400 booth to assist Deputies Ramirez and [redacted] His observations of the incident from the booth were limited. He stated he heard the request for help over the radio. He saw Inmate Rodriguez laying on the floor punching and kicking at Deputies Ramirez and [redacted] After assisting Deputies arrived, Deputy Alerich's view of the scene was blocked by the assisting personnel.

Refer to Deputy Alerich's supplemental report for further information.